

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

DAVID CLARK, *et al.*,  
Plaintiffs,  
v.

Case No. 1:16-CV-01044-CCE-LPA

DUKE UNIVERSITY, *et al.*,  
Defendants.

KATHI LUCAS, *et al.*,  
Plaintiffs,  
v.

Case No. 1:18-CV-00722-CCE-LPA

DUKE UNIVERSITY,  
Defendant.

**PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, REIMBURSEMENT OF  
EXPENSES, AND CASE CONTRIBUTION AWARDS FOR NAMED  
PLAINTIFFS**

Under Federal Rules of Civil Procedure 23(h) and 54(d)(2), Plaintiffs move that the Court approve an attorneys' fee award to Class Counsel of \$3,550,000 (one-third of the monetary recovery), reimburse Class Counsel's reasonable litigation expenses of \$822,212 and grant incentive awards of \$25,000 each for *Clark* Class Representatives David Clark and Thomas C. Mehen, and \$30,000 each for *Clark/Lucas* Class Representatives Kathi Lucas, Jorge Lopez, and Keith A. Feather.

Class Counsel bore tremendous risk in order to benefit the Class. In spite of this risk, Class Counsel leveraged their experience in excessive fee litigation to achieve an efficient resolution of this matter, thereby avoiding the delay and expense of years of

litigation and substantial risk of non-recovery for the Class. The requested percentage of the settlement fund is comparable to attorneys' fees awards in similar cases. Based on all of the relevant factors, and for the reasons stated in Plaintiffs' supporting memorandum, Plaintiffs respectfully request that the Court should grant their motion.

April 19, 2019

Respectfully submitted,

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*Local Counsel for Plaintiffs*

### **CERTIFICATE OF SERVICE**

I certify that on April 19, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of filing to all counsel of record.

/s/ Jerome J. Schlichter